

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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In Re: PHARMACEUTICAL INDUSTRY : MDL NO. 1456
AVERAGE WHOLESALE PRICE : Master File No. 01-CV-12257-PBS
LITIGATION :
: Judge Patti B. Saris
THIS DOCUMENT RELATES TO: :
The Master Consolidated Class Action : Chief Mag. Judge Marianne B. Bowler
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**DEFENDANTS' NOTICE OF OPPOSITION TO PLAINTIFFS' EMERGENCY
MOTION FOR A PROTECTIVE ORDER**

Defendants hereby notify the Court of their opposition to Plaintiffs' Emergency Motion for a Protective Order filed on September 10, 2004. Defendants further notify the Court of their intention to file a memorandum in opposition to Plaintiffs' Motion on an expedited basis but no later than September 20, 2004. Although Plaintiffs' Motion seeks relief with respect to depositions scheduled for the week of September 13, 2004 (namely, the Oxford and John Deere depositions) all scheduling issues for this week have been resolved.

Dated: Boston, Massachusetts
September 15, 2004

Respectfully submitted,

By: /s/ Lucy Fowler
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CERTIFICATE OF SERVICE

I certify that on September 15, 2004, a true and correct copy of the foregoing Notice of Opposition was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

/s/ Lucy Fowler

Lucy Fowler